



Policy: 4420
Procedure: 4420.01
Chapter: Education
Rule: Section 504

Effective: 06/18/2007
Replaces: N/A
Dated: N/A

Purpose:

The Arizona Department of Juvenile Corrections (ADJC) establishes rules to identify and evaluate students who are disabled under Section 504 of the Americans with Disabilities Act (ADA), in order to provide a free appropriate public education (FAPE) to all students committed to the Department.

Index:

1. [Pre Referral for Section 504](#)
2. [Initial Referral for Section 504 Evaluation](#)
3. [Section 504 Notification](#)
4. [Section 504 Implementation Plan](#)
5. [Section 504 Dispute Resolution](#)

Rules:

1. **Pre-Referral For Section 504:**
 - a. **EDUCATION PERSONNEL** shall
 - i. Determine Pre-Referral Team members;
 - ii. Develop in writing the use of early interventions plan to the parent(s);
 - iii. Propose mitigating measure to help correct the difficulties:
 - (1) If successful, continue and monitor for progress;
 - (2) If unsuccessful complete Form 4420.01A Section 504 Referral Form;
 - (3) Forward the completed referral form to the School Psychologist OR Medical Doctor for evaluation to be performed by a group of qualified persons to include:
 - (a) Parents;
 - (b) Qualified Health Care Professionals (QCHP);
 - (c) School Psychologist; and
 - (d) Other Education Personnel as required.
2. **Initial Referral For Section 504 Evaluation:**
 - a. **A JUVENILE'S PARENT OR ANY AGENCY EMPLOYEE** may make a verbal or written referral for a Section 504 evaluation to the Facility Principal or designee;
 - b. The **FACILITY PRINCIPAL** shall approve the evaluation request if he/she determines the student may have a present disabling condition that:
 - i. Substantially limits a major life activity; and
 - ii. Creates a barrier to accessing the same educational opportunities afforded to non-disabled students.
3. **Section 504 Notification:**
 - a. The **SCHOOL PRINCIPAL OR DESIGNEE** shall:
 - i. Forward a Form 4420.01B Section 504 Initial Evaluation to the Parent(s) indicating the school:
 - (1) Suspects their child has a present disabling condition that:
 - (a) Substantially limits a major life activity; and
 - (b) Creates a barrier to accessing the same educational opportunities afforded to non-disabled students.
 - (2) Desires to evaluate their child for possible accommodations under Section 504 of the ADA.
 - ii. If the parent does not consent the **SCHOOL PRINCIPAL OR DESIGNEE** shall: return a copy of:
 - (1) The refusal to the parent indicating that the School District was prepared to evaluate the student but cannot proceed due to lack of parental consent; and
 - (2) If developed, a copy of the Form 4420.01C Section 504 Accommodation Plan to the Parent prior to implementation.

- b. The **FACILITY PRINCIPAL** shall ensure proper consent of the parent/legal guardian is obtained prior to evaluation of a student suspected of being disabled and requiring special accommodations and/or services.
- c. **EDUCATION PERSONNEL OR A QHCP** shall complete an evaluation within 60 days of the principal's signature on the Referral Form.
- d. The **SECTION 504 TEAM** will convene to review and make a decision to or not to develop an accommodation plan containing all pertinent data to include:
 - i. Medical reports;
 - ii. Educational records;
 - iii. Juvenile's response to intervention;
 - iv. Teacher data; and
 - v. Standardized assessments.

4. **Section 504 Plan Implementation:**

- a. Within 24 hours of the Section 504 Team evaluation meeting, the **FACILITY PRINCIPAL** shall forward copies of the accommodation plan to the:
 - i. Guidance Counselor;
 - ii. Parent;
 - iii. Regular education teacher(s);
 - iv. School psychologist;
 - v. Related personnel; and
 - vi. Principal's Section 504 file (Original).
- b. **FACILITY PRINCIPAL** shall:
 - i. Update Youthbase to reflect that this student is now eligible for accommodations under Section 504;
 - ii. Ensure that proper notification of parent/legal guardian for implementation of the plan by obtaining the parent/legal guardian's signature on any initial Section 504 Accommodation Plan;
 - iii. Ensure procedural safeguards are given to parent/guardian of the student; and
 - iv. Review the Section 504 Plan periodically.

5. **Section 504 Dispute Resolution:**

- a. The **SECTION 504 COORDINATOR** shall ensure parents or guardians who disagree with the identification, evaluation, or placement of a juvenile with disabilities has access to due process to include:
 - i. Filing a written grievance directly with the Section 504 Coordinator;
 - ii. An in-person meeting with the Section 504 Coordinator;
 - iii. Mediation with a Section 504 hearing officer in which the parent or guardian has the right to:
 - (1) Participate in person; and
 - (2) Be represented by counsel.
 - iv. Filing a written complaint with the United States Department of Justice – Office of Civil Rights.

Effective Date:	Approved by Process Owner:	Review Date:	Reviewed By:
06/18/07	Dr. Gail Jacobs		